

Docket No.: 62310(71699)  
(PATENT)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

---

In re Patent Application of:  
Eshleman, James R. et al.

Application No.: National Phase of  
PCT/US05/09391

Confirmation No.: N/A

Filed: Concurrently Herewith

Art Unit: N/A

---

For: METHODS FOR THE DETECTION OF  
NUCLEIC ACID DIFFERENCES

Examiner: Not Yet Assigned

**INFORMATION DISCLOSURE STATEMENT (IDS)**

MS PCT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Pursuant to 37 CFR 1.56, 1.97 and 1.98, the attention of the Patent and Trademark Office is hereby directed to the documents listed on the attached PTO/SB/08. It is respectfully requested that the information be expressly considered during the prosecution of this application, and that the documents be made of record therein and appear among the "Documents Cited" on any patent to issue therefrom.

This Information Disclosure Statement accompanies the new patent application submitted herewith.

In accordance with 37 CFR 1.98(a)(2)(ii), Applicant has not submitted copies of U.S. patents and U.S. patent applications. Applicant submits herewith copies of foreign patents and non-patent literature in accordance with 37 CFR 1.98(a)(2).

In accordance with 37 CFR 1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information as defined in 37 CFR 1.56(a) exists. In accordance with 37 CFR

Application No.: National Phase of PCT/US05/09391 2 Docket No.: 62310(71699)

1.97(h), the filing of this Information Disclosure Statement shall not be construed to be an admission that any patent, publication or other information referred to therein is "prior art" for this invention unless specifically designated as such.

It is submitted that the Information Disclosure Statement is in compliance with 37 CFR 1.98 and the Examiner is respectfully requested to consider the listed documents.

The Director is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Deposit Account No. 04-1105, under Order No. 62310(71699).

Dated: August 25, 2006

Respectfully submitted,

By 

Peter F. Corless

Registration No.: 33,860

EDWARDS ANGELL PALMER & DODGE  
LLP

P.O. Box 55874

Boston, Massachusetts 02205

(617) 439-4444

Attorneys/Agents For Applicant

PTO/SB/08a/b (07-06)

Approved for use through 09/30/2006. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449A/B/PTO  <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  <i>(Use as many sheets as necessary)</i>				<b>Complete if Known</b>	
				Application Number	Not Yet Assigned
				Filing Date	Concurrently Herewith
				First Named Inventor	James R. Eshleman, M.d.
				Art Unit	N/A
				Examiner Name	Not Yet Assigned
Sheet	1	of	1	Attorney Docket Number	62310(71699)

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. <sup>1</sup>	Document Number	Publication Date	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code <sup>2</sup> (if known)	MM-DD-YYYY		
	AA*	US-2006/0111312-A1	05-25-2006	Eshleman et al.	
	AB*	US-2003/0219770-A1	11-27-2003	Eshleman et al.	
	AC*	US-5,185,243	02-09-1993	Ullman et al.	
	AD*	US-5,210,015	05-11-1993	Gelfand et al.	

FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document	Publication Date	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>
		Country Code <sup>3</sup> -Number <sup>4</sup> -Kind Code <sup>5</sup> (if known)	MM-DD-YYYY			
	BA	WO-1997/45559	05-27-1997	Cornell Research Foundation, Inc.		

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. \* CITE NO.: Those application(s) which are marked with an single asterisk (\*) next to the Cite No. are not supplied (under 37 CFR 1.98(a)(2)(iii)) because that application was filed after June 30, 2003 or is available in the IFW. <sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
	CA	Schouten et al., Nucleic Acids Research, 30(12):1-13 (e57) 2002).	
	CB	Beck et al., NIH AIDS Research and Reference Reagent Program, pp. 1-24 (2003).	
	CC	Kapala et al., Journal of Clinical Microbiology, pp. 2480-2483 (2000).	
	CD	Whitcombe et al., Nature Biotechnology, 17:804-807 (1999).	
	CE	Favis et al., Nature Biotechnology, 18:561-564 (2000).	
	CF	Abravaya et al., Nucleic Acids Research, 23(4):675-682 (1995).	

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup>Applicant's unique citation designation number (optional). <sup>2</sup>Applicant is to place a check mark here if English language Translation is attached.

Examiner Signature		Date Considered	
-----------------------	--	--------------------	--

**FEE SUMMARY SHEET****Transmittal to US Designated-Elected Office**

Date: August 25, 2006  
 Time: 2:23 PM  
 Docket: 62310(71699)

Filing Date: Concurrently Herewith  
 Application No: Not Yet Assigned  
 Total Fee: \$ 1,190.00

Code	Amount	37 CFR	Fee Description	Listed on
2631	150.00	1.492(a)	Basic National Stage fee	Transmittal to US Designated-Elected Office (PTO 1390)
2633	100.00	1.492(c)(2)	National Stage Examination Fee - all other situations	Transmittal to US Designated-Elected Office (PTO 1390)
2641	50.00	1.492(b)(2)	National Stage Search Fee - U.S. was the ISA	Transmittal to US Designated-Elected Office (PTO 1390)
2681	250.00	1.492(j)	National Stage application size fee - for each additional 50 sheets that exceeds 100 sheets	Transmittal to US Designated-Elected Office (PTO 1390)
8021	40.00	1.21(h)	National Stage recording each patent assignment, agreement or other paper, per property	Transmittal to US Designated-Elected Office (PTO 1390)
2615	100.00	1.492(e)	National Stage claims - extra total (over twenty)	Transmittal to US Designated-Elected Office (PTO 1390)
2614	500.00	1.492(d)	National Stage claims - extra independent (over three)	Transmittal to US Designated-Elected Office (PTO 1390)